

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

JOHN C. VOTTA, JR. Plaintiff,	)	
v.	)	No. 04-10135-GAO
MARTHA COAKLEY, et al. Defendants	)	

**DISTRICT ATTORNEY COAKLEY’S OPPOSITION TO  
PLAINTIFF’S MOTION TO AMEND JUDGMENT**

Defendant District Attorney Coakley hereby opposes Plaintiff’s Motion to Amend Judgment, Paper No. 19. Plaintiff’s Motion to Amend the Judgment offers nothing to overcome the fundamental defect in his complaint, which is that the only injury he has alleged is a still-valid criminal conviction. As Defendant has shown elsewhere (Paper No. 11 at pp. 3-6, Paper No. 6 at pp. 3-7), core doctrines of federal jurisdiction, particularly the rule announced in *Heck v. Humphrey*, 512 U.S. 477 (1994), preclude the use of § 1983 to interrupt or collaterally undermine state criminal proceedings. As the court has ruled, Plaintiff has not pleaded a cause of action upon which this court may grant relief, and the court properly dismissed the complaint.

For these reasons, District Attorney Coakley respectfully suggests that Plaintiff’s Motion to Amend the Judgment should be denied.

Respectfully submitted,  
THOMAS F. REILLY  
ATTORNEY GENERAL

/s/ David M. Lieber

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ATTORNEYS FOR  
DISTRICT ATTORNEY COAKLEY